

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT LUCAS,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA,	:	
	:	NO. 11-4376
Defendant.	:	

AND NOW, this 17th day of *May*, 2013, upon consideration of Defendant City of Philadelphia's Motion for Summary Judgment (Docket No. 22) and Plaintiff Robert Lucas's Response (Docket No. 24), it is hereby **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. With respect to Counts I and II of the Amended Complaint (race discrimination under the Civil Rights Act and the PHRA):
 - a. Defendant's Motion is **DENIED** on Plaintiff's theory of hostile work environment.
 - b. Defendant's Motion is **GRANTED** on Plaintiff's theories of hostile work environment constructive discharge and disparate treatment. **JUDGMENT IS ENTERED** in favor of Defendant on these theories under Counts I and II.
2. With respect to Counts III and IV of the Amended Complaint (retaliation under the Civil Rights Act and the PHRA), Defendant's Motion is **GRANTED. JUDGMENT IS ENTERED** in favor of Defendant on these Counts.
3. With respect to Counts V and VI (disability discrimination under the PHRA and the ADA), Defendant's Motion is **GRANTED. JUDGMENT IS ENTERED** in favor of Defendant on these Counts.

It is so **ORDERED**.

BY THE COURT:

s/ *Ronald L. Buckwalter*
RONALD L. BUCKWALTER, S.J.